

CATEGORICAL EXCLUSION/DECISION RECORD

Project Name: Jefferson Public Radio, OR 65409 (CE OR116/114-08-27)

Location: See description below.

BLM Office: Ashland R.A., Medford District. Phone # (541) 618-2310

DESCRIPTION OF THE PROPOSED ACTION:

The proposed action is to reauthorize an existing FLPMA Communications Use Lease at Soda Mountain Communication Site to Jefferson Public Radio for continued use of the existing communication site located in Section 28, T. 40 S., R. 3 E., Willamette Meridian. Jefferson Public Radio broadcasts from the site and subleases this communication site to five other entities: Soda Mountain Broadcasting, Inc.; Timberland Logging, Inc.; Ashland Towing; Southern Oregon Public Television (KSYS); and Southern Oregon Regional Communications (9-1-1 emergency network). This action (OR 65409) would replace the previous authorization (OR 54336) which expires June 1, 2008. The new FLPMA authorization would be granted to the applicant for a 20-year term.

PLAN CONFORMANCE

The proposed action is in compliance with and is tiered to the *Medford District Record of Decision and Resource Management Plan (RMP)* as amended by the *Record of Decision To Remove the Survey and Manage Mitigation Measure Standards and Guidelines from the Bureau of Land Management Resource Management Plans Within the Range of the Northern Spotted Owl* (USDI 2007). The 1995 Medford District Resource Management Plan incorporated the *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl and the Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest Related Species Within the Range of the Northern Spotted Owl* (Northwest Forest Plan) (USDA and USDI 1994).

The proposed action is in conformance with the direction given for the management of public lands in the Medford District by the Oregon and California Lands Act of 1937 (O&C Act), Federal Land Policy and Management Act of 1976 (FLPMA), the Endangered Species Act (ESA) of 1973, the Clean Water Act of 1987, Safe Drinking Water Act of 1974 (as amended 1986 and 1996), Clean Air Act, and the Archaeological Resources Protection Act of 1979.

CATEGORICAL EXCLUSION REVIEW

This proposed action qualifies as a categorical exclusion under 516 DM 11.9 E (9). The proposed action has been reviewed to determine if any of the exceptions described in 516 DM 2, Appendix 2 apply. The proposed action will:

<u>Yes</u>	<u>No</u>	<u>Categorical Exclusion Exception</u>
()	(X)	1. Have significant adverse effects on public health or safety.
()	(X)	2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resource; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.
()	(X)	3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)] not already decided in an approved land use plan.
()	(X)	4. Have highly uncertain and potentially significant environmental effects or unique or unknown environmental risks.
()	(X)	5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.

- () (X) 6. Have a direct relationship to other actions with individually insignificant, but significant cumulative environmental effects. (40 CFR 1508.7 and 1508.25(a)).
- () (X) 7. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places.
- () (X) 8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.
- () (X) 9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment.
- () (X) 10. Have disproportionate significant adverse impacts on low income or minority populations (Executive Order 12898).
- () (X) 11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).
- () (X) 12. Contribute to the introduction, continued existence, or spread of noxious weeds or nonnative invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).

Joe Hoppe	Realty Specialist	4-28-2008
Prepared by	Title	Date

Kathleen P. Minor	CSNM Planner	4-28-2008
Reviewed and Edited by	Title	Date

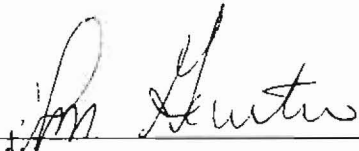
SUMMARY OF FINDINGS

The proposed action has been reviewed against the twelve criteria listed above for an exception to a categorical exclusion and does not fall under any exception as identified in 516 DM 6, Appendix 2. Therefore, this project is categorically excluded from NEPA documentation under 516 DM 11.9, E (9).

DECISION

Based on this NEPA CATEGORICAL EXCLUSION REVIEW, I have determined that the proposed action involves no significant impact to the human environment and that no further environmental analysis is required.

It is my decision to reauthorize the requested right-of-way facility to Jefferson Public Radio as described above in the Proposed Action. The new serialized case file is OR 65409.

	Field Manager	4/28/08
Approved by	Title	Date

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